



CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

ONE HUNDRED TENTH CONGRESS
REPRESENTATIVE SANDER M. LEVIN, CHAIRMAN
SENATOR BYRON L. DORGAN, CO-CHAIRMAN

April 11, 2008

His Excellency Hu Jintao
President of The People's Republic of China

His Excellency Wen Jiabao
Premier of the State Council

Dear President Hu and Premier Wen:

In contrast to its record of three decades of unprecedented economic growth, China in recent weeks has shown it has not demonstrated a comparable record in the implementation of basic human rights standards recognized in both Chinese and international law.

Chinese law includes protections for the distinctive culture, language and identity of ethnic minority citizens. Although China's Regional Ethnic Autonomy Law guarantees ethnic minorities the "right to administer their internal affairs," the Chinese government has created an ethnic autonomy system that denies them this right in practice.

Tibetan grievances recently resulted in a cascade of public protests across Tibetan areas of China. Protest activity was mostly peaceful, but did include instances of rioting with tragic consequences. The Chinese government's reaction has revealed a level of hostility toward Tibetans not seen in decades, and has heightened fears for the Tibetan people. The censorship and restrictions on openness imposed by the Chinese government has been doubly alarming.

We believe the Chinese government must urgently take the following steps:

1. Distinguish between peaceful protestors and rioters, honor the Chinese Constitution's reference to the freedoms of speech and association, and do not treat peaceful protest as a crime;
2. Provide a detailed account of Tibetan protest activity in each location where such activity took place;
3. Provide details about each person detained or charged with a crime, including each person's name, the charges (if any) against each person, the name and

location of the prosecuting office (“procuratorate”) and court handling each case, and the name of each facility where a person is detained or imprisoned;

4. Allow access by diplomats and other international observers to the trials of people charged with protest-related crimes;
5. Allow international observers and journalists immediate and unfettered access to Tibetan areas of China;
6. Ensure that security officials fulfill their obligations under Articles 64(2) and 71(2) of China’s Criminal Procedure Law to inform relatives and work places (monasteries in the case of monks) where detainees are being held and;
7. Encourage and facilitate the filing of compensation suits under Chinese law in cases of alleged wrongful arrest, detention, punishment, and other official abuses during the recent protests.

We also believe that going forward the Chinese government now has the opportunity to further demonstrate its commitment to effective implementation of Chinese and international law in the following areas:

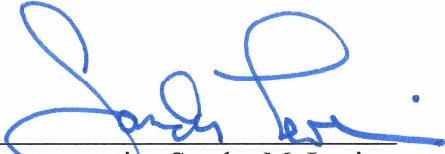
1. Permit international observers to monitor closely the implementation of China’s new Regulation on Open Government Information, which comes into force on May 1, 2008, with special emphasis on implementation in Tibetan areas.
2. Strictly enforce the Regulations on Reporting Activities in China by Foreign Journalists During the Beijing Olympic Games and the Preparatory Period, with special emphasis on access to and in Tibetan areas of China.

Finally, we believe that the commencement of direct talks between the Chinese government and the Dalai Lama is fundamental both to the resolution of Tibetan grievances and to the protection of the distinctive language, culture, religious identity, and fundamental freedoms of all Tibetans.

As China plays an increasingly important role in the international community, other countries will appropriately assess China’s fulfillment of the commitments it made in both Chinese and international law, including legal and constitutional commitments to ethnic minorities. The international spotlight will remain long after the closing ceremonies of the Olympic Summer Games. We hope that the Chinese government will

welcome such attention with a full commitment to openness, and to the implementation of basic human rights.

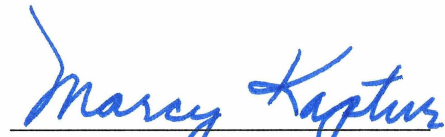
Sincerely,



Representative Sander M. Levin
Chairman



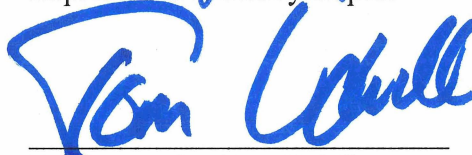
Senator Byron L. Dorgan
Co-Chairman




Representative Marcy Kaptur



Senator Dianne Feinstein



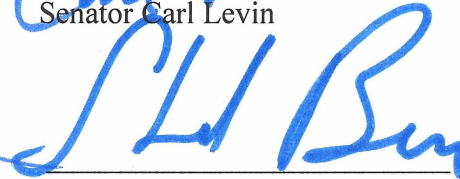
Representative Tom Udall



Senator Carl Levin



Representative Michael M. Honda



Senator Sherrod Brown



Representative Timothy J. Walz



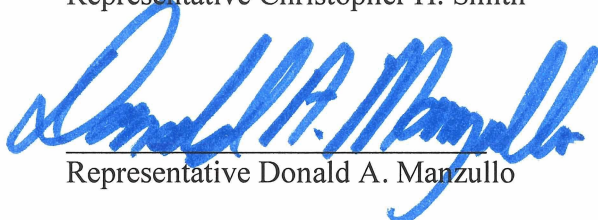
Senator Sam Brownback



Representative Christopher H. Smith




Senator Gordon H. Smith



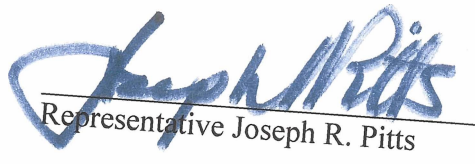
Representative Donald A. Manzullo



Senator Mel Martinez



Representative Edward R. Royce


Representative Joseph R. Pitts